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14. ABSTRACT Following the passing of the unilateral Secure Fence Act of 2006 and the continuous increase of violence in the southwest border region, the U.S. and Mexican populaces highlight the lack of success and question what concrete initiatives the United States and Mexico can undertake to continue to improve the security of the border region. This paper compares the Southwest Border Initiative and the future Merida Initiative (Beyond Merida) as available options to improve border security and subsequently U.S.-Mexico relations. The paper thus illustrates the aims, cost and impact of the three major imperatives encompassed by the Southwest Borders Initiative to illustrate its applicability to current and future border security. After identifying the best future option, the author provides recommendations as the U.S. administration plans for and initiates future southwest border initiatives. Finally, the paper draws conclusions concerning options to posit that the Southwest Borders Initiative will deliver the best long-term results.					
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Shared Compromise – Future US-Mexican Border Security Initiatives

by

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A paper submitted to the Faculty of the Naval War College in partial satisfaction of the requirements of the Department of Joint Military Operations.

The contents of this paper reflect my own personal views and are not necessarily endorsed by the Naval War College or the Department of the Navy.

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Abstract

Following the passing of the unilateral Secure Fence Act of 2006 and the continuous increase of violence in the southwest border region, the U.S. and Mexican populaces highlight the lack of success and question what concrete initiatives the United States and Mexico can undertake to continue to improve the security of the border region. This paper compares the Southwest Border Initiative and the future Merida Initiative (Beyond Merida) as available options to improve border security and subsequently U.S.-Mexico relations. The paper thus illustrates the aims, cost and impact of the three major imperatives encompassed by the Southwest Borders Initiative to illustrate its applicability to current and future border security. After identifying the best future option, the author provides recommendations as the U.S. administration plans for and initiates future southwest border initiatives. Finally, the paper draws conclusions concerning options to posit that the Southwest Borders Initiative will deliver the best long-term results.

INTRODUCTION

The continuing rise of violence along the Southwest border and resultant concern that violent extremists can and will use the region to affect and infiltrate America, serve as a catalyst for additional



Figure 1. A portion of the border fence near El Paso

improvements to increase security in the border region. In addition, even with the completion of the majority of the border fence, the perception along the border is that violence is worsening. As democratic societies, Mexico and the United States seek to develop their human and material capabilities in ways that meet the needs of their societies. Such development cannot proceed efficiently nor effectively when people fear for their security, either as citizens of a nation under attack, or as individuals subject to domestic harassment, violence, corruption, or a paucity of material goods and services that meet basic human needs.¹ Three on-going initiatives have the potential to directly and indirectly affect security in the border region; the Southwest Borders Initiative, the Merida Initiative, and substantial immigration reform. This paper will not address the option of substantial immigration reform as the politics involved with the issue make it infeasible to solve under the current administration and possibly any administration. As a result, to address the positive and negative effects would unduly lengthen the paper or eliminate the appropriate dialogue of an

¹ Erika de la Garza, 2

acceptable near-term solution. To provide the reader with sufficient background on the subject, this paper commences with a short history of U.S. efforts with Mexico along the Southwest border. After critiquing the possible application of a “Beyond Merida” initiative to affect border security, this research suggests the Department of Homeland Security (DHS) provides the most effective method to achieve increased security with the Southwest Border Initiative. To address the structure and resultant successes, the author illustrates how DHS combined personnel actions, efforts in law enforcement cooperation, and technological enhancements with the Southwest Border Initiative to provide a synergistic effect on border security. Not only will this capture why the Southwest Border Initiative achieved success, but it will illustrate how this initiative will benefit the current American administration in respect to resource allocation, positive media coverage and cost to the American public. Undoubtedly, DHS will need to conduct an in-depth review of how and where future personnel, technology and cooperation efforts need to focus. Regardless, the Department of Homeland Security's Southwest Borders Initiative provides the most effective method to improving the security on the border while concurrently bolstering U.S.-Mexico relations.

Prior to September 11, 2001, efforts were in place to create a “seamless border” between the U.S. and Mexico to improve regional economic performance. Following the passage of the North American Free Trade Agreement (NAFTA), to eliminate barriers to trade and investment between the U.S., Canada, and Mexico, the United States and Mexico were on a path to balance trade and security. For example, from 1996-2006 the agricultural trade between our countries increased by

more than \$13 billion.² The events of September 11, 2001 changed all of that. The cliché Security Trumps Trade actually gained currency in the immediate aftermath of 9/11. The U.S. administration used this phrase to argue Mexico and Canada had better get with it and recognize U.S. security priorities if they wished their burgeoning trade, especially after NAFTA, to continue. As the Department of Homeland Security began operations in 2003, the security on the U.S. southwest border became a distinct priority. In 2005, in an effort to address the necessary balance between trade and security, Mexico, Canada, and the United States formed the Security and Prosperity Partnership of North America (SPP). While the SPP set up to work through twenty working groups and an annual summit of the countries' leaders, the U.S. populace perceived it as an effort to create a North American Union. In addition, it excluded the U.S. Congress in its process. Thus, it demonstrated only modest accomplishments prior to being abolished. During the same period, the Bush administration worked hard to show U.S. national resolve on the border. This began with Operation Jump Start in 2006, deploying more than six thousand National Guard troops to work with U.S. Border Patrol. Later that year, in October, President Bush signed the Secure Fence Act, directing for the construction of 700 miles of fencing along the border. The next year, the administration shifted its focus towards the transnational drug organizations, announcing the Merida initiative, with the goal of providing U.S. assistance in Mexico and Central America's drug war at the proposed cost of \$1.4 billion.³

² Erika de la Garza, 2

³ Weinrand, 118, 120

As the Obama Administration came to power in January 2009, there were many hoping the security problems on the border would improve. In March 2009, the administration took its first steps to address the issue with the signing of the Southwest Border Initiative. Unfortunately, the violence along the border continued to rise. Some argued the U.S. needed to pursue a comprehensive policy to seal the border until Mexico solved its domestic problems. But the border problems do not reside only inside Mexico. Trade, water, illegal and legal U.S. arms trade, money laundering, and energy infrastructure trends on the U.S. side of the border are a major influence on the health and well-being of Mexican border communities, as is U.S. immigration policy. Through actions suggesting the problems all originate solely in Mexico, the United States harms its own interests and risks producing an unappealing political outcome.⁴ The Southwest Border Initiative became the first initiative since the events of 9/11 to address this as a problem with causes in each of our countries. The comprehensive effects from the Southwest Border Initiative demonstrated an effective and reasonable approach up to this point. With a few modifications, it needs to be continued as the principal U.S. initiative to address the security challenges on the border region.

COUNTER-ARGUMENT

Many experts posit that improvements to the Merida Initiative known as “Beyond Merida” could provide more substantial benefits to border security than the Southwest Border Initiative. The first problem with the Merida Initiative is that it fails to focus on the border but on combatting the drug trafficking organizations. The goal

⁴ Abu-Hamdeh, 38

of the Merida Initiative is to reduce the drug trafficking problem, cartel influence, and associated violence and corruption, while restoring order to much of Mexico through implementation of the initiative.

Obviously, there are commonalities between fighting the cartels and increasing border security. Nevertheless, the initiative in its execution would fail to address critical areas such as illegal immigrant flow.⁵

The second problem with the Merida Initiative centers on its effectiveness. Although the U.S. Congress granted more than \$1.4 billion for the four-year program, there is no clear indication it is working. Since the initiative dictated that no cash transfers or money could be disbursed to the recipient countries, it fell on the U.S. State Department to manage and facilitate new and existing equipment deliveries and training programs. Basically, no U.S. agency could provide funds directly to Mexico but U.S. agencies could buy, transfer and manage equipment and training to improve the Mexican counterdrug and security forces. This became exceeding difficult for the State Department and supporting agencies like the DHS in execution as evident in a critical report from the GAO. The report stated that the Merida Initiative wasn't at all successful, since the agencies involved with the program failed to spend the bulk of the money allocated. In addition to the DHS inability to commit the funds and facilitate the delivery of the equipment associated



Figure 2. President Obama signing the Southwest Border Initiative

⁵ Erika de la Garza, 3

with the program, the initiative failed to reduce drug supply. Major U.S. interdiction efforts closed Florida as an entry point for Columbian cocaine, thus leaving Mexico as the appealing substitute. As a result, with U.S. demand remaining constant, the drug supply continued to increase primarily through Mexico.⁶

In addition to these two major problems, the U.S. administration failed to make any substantial strides with the U.S. shared responsibility for the problem. Essentially, the drug cartels fight the Mexican government with weapons purchased from the United States with the profits from U.S. addiction. It is obvious the availability of assault weapons in the United States fuels the problem and violence would decrease if access to assault and automatic weapons decreased. An effective method to accomplish this would be to address the 2004 Assault Weapons Ban reversal and take legislative steps to reinstate the ban. If the reversal is not possible or plausible, the U.S. must apply increased oversight and stronger enforcement of current laws to include more stringent regulation of gun show sales and cracking down on the trafficking of arms from North to South. The Southwest Border Initiative unquestionably addresses the latter.⁷

In an a series of unfortunate events, a program known as Operation Gunrunner, illustrated more disturbing effects from the Merida Initiative. The operation which began under the Bush administration through the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) gained additional funding of more than \$23 million under the Merida Initiative. The intended goal of the program's sting operations: stop illicit firearms trafficking along the Southwest border through close

⁶ Abu-Hamdeh, 40, 44

⁷ Ibid, 48

surveillance of undercover gun purchases and coordinated intervention with Mexico. Through mismanagement and irresponsibility it resulted in the federally sanctioned transfer of high-powered weapons from U.S. officials right into the hands of drug cartel killers. In at least two cases, officials traced weapons used to kill border agents back to Operation Gunrunner.⁸ If you ask an ordinary American on the street what they know about the Merida Initiative with Mexico, they'll most likely by connecting it with Operation Gunrunner, if they know anything at all. The resultant negative perceptions from this blunder are another, perhaps fatal blow for the Merida Initiative. In summary, the lack of focus on the border, ineffectiveness, and unfortunate open criticism of the initiative combined with the effect of the current national economic instability make the "Beyond Merida" initiatives an unattractive choice for the Obama administration.

THE SOUTHWEST BORDER INITIATIVE

While not drastically different from the the Merida Initiative, the Obama administration designed the Southwest Border Initiative to crack down on Mexican drug cartels. The difference is the method. The administation sought to accomplish its objective through enhanced border security to prevent the violence in Mexico from spilling over the border. Through explanation of the particulars of the initiative, the paper illustrates that DHS and others took comprehensive action to increase border security by countering the flow of illegal immigrants and U.S.-Mexico gun smuggling, in addition to battling the transnational drug organizations.⁹

⁸ Malkin, 1-2

⁹ Office of the Press Secretary, DHS

Central to enhancing border security was an effort to redistribute and reorganize the DHS force where the DHS estimated it could have the greatest impact. First, the department initiated strategic redeployments totaling more than 360 additional officers and agents at the border and in Mexico at a cost of approximately \$184 million. Second, DHS doubled the number of personnel assigned to Immigration and Customs Enforcement's (ICE) Border Enforcement Security Task Forces (BEST); tripled the number of intelligence analysts at the border; and increased ICE Attaché personnel by 50 percent.¹⁰ The BEST are composed of federal, state, local and foreign law enforcement counterparts developed to identify, disrupt and dismantle criminal organizations posing significant threats to border security. Whereas a larger number of talented intelligence analysts will increase the rigor and depth of threat analysis, allowing the U.S. along with their Mexican counterparts to strike at and interdict the drug cartel and illegal immigrant networks. Lastly, the ICE Attaché personnel work directly with Mexican customs and border patrol counterparts to identify and combat transnational criminal organizations. In the above-mentioned personnel enhancements alone, the DHS focused its efforts against all criminal organizations, not just the transnational drug organizations, by putting more agents on the ground informed by better intelligence and better coordinated through increased cooperation granted by the ICE attachés.¹¹

In its last personnel measure, DHS doubled the number of ICE agents assigned to the Criminal Alien Program Violent Criminal Alien Section (VCAS) at five crucial Southwest border field offices, adding a total 50 agents and officers; and it

¹⁰ Office of the Press Secretary, DHS

¹¹ Department of Homeland Security. "Fact Sheet: Criminal Alien Program Factsheet." U.S. Immigration and Customs Enforcement.

quadrupled the number of agents designated as Border Liaison Officers (BLOs), who work to create cooperative relationships between U.S. and Mexican law enforcement authorities (10 to 40). The VCAS screens recidivist criminal aliens encountered through Criminal Alien Program (CAP), the National Fugitive Operations Program and the Law Enforcement Agency Response Unit. Then, VCAS seeks criminal prosecution to deter and reduce future recidivism of violent criminal aliens.¹² Concurrently, the BLOs serve to increase U.S. coordination with local police forces in the border region. In total, the increase within the workforce by more than 180 new personnel hires, many of which were border agents, directly affected border security in FY 2010. More importantly, DHS properly identified of the need for personnel in these five specific areas and sought the needed support and funding to address the concern. In the future, DHS, with interagency support from U.S. and Mexican authorities, must continue in identifying the personnel deficiencies and use targeted funding and hiring techniques to address them.¹³

The aforementioned expenditures to increase manpower, coupled with recent criticism of combined U.S.-Mexican border security operations, forced DHS and other agencies to further diversify their operations. The second imperative of the Southwest Border Initiative calls for the increased state, local and Mexican Law Enforcement coordination. A recent Baker Policy Report suggests the U.S. must create an effective communication mechanism among U.S., local, and federal agencies. The lack of coordination between U.S., local, and state governments, the ad hoc nature of many organizational efforts, and the lack of institutions and systems

¹² Department of Homeland Security. "Fact Sheet: Criminal Alien Program Factsheet."

¹³ Office of the Press Secretary, DHS

of cooperation are a tremendous challenge for the border agencies.¹⁴ The increased workforce is often criticized as insufficient to deal with the plethora of challenges at the border region. Recognizing this, DHS understood the criticality of exploiting every opportunity to leverage information sharing opportunities, operational techniques and even workload across the contributing teams. Below is a good example of where this occurred in and around Tijuana.

A drug-sniffing dog pulled the U.S. Border Patrol agent to a rusty cargo container in the storage yard just north of the Mexican border. Peeking inside, he saw stacks of bundled marijuana and a man with a gun tucked in his waistband. The officer and the man locked eyes for a moment before the smuggler scrambled down a hole and disappeared. By the time backup agents cast their flashlights into the opening, he was long gone, through a winding tunnel to Mexico. U.S. authorities called a *trusted friend* on the other side, Juan Jose Soriano. The deputy commander of the Tecate Police Department gathered the entire shift of 30 officers at the decrepit police headquarters. Knowing that many of them were corrupt he took their cell phones and sent them away on a ruse about a car chase near the border. The veteran officer told only a few trusted aides about the tunnel. Later that day, the officers went into the U.S. and traversed the length of the passageway to an empty building, where they found computers, ledgers and other key evidence.¹⁵

Results like these can only occur after our law enforcement entities trust each other. This starts with nearly constant communication, which leads to coordination. Once the parties involved gain trust in each other, cooperation begins leading to teamed operations or collaboration. Another good example of comprehensive team work against the threat occurred in El Paso in September of 2010 – where a strike force of 10 FBI agents, 10 Drug Enforcement Agency agents, representatives from

¹⁴ Erika de la Garza, 14

¹⁵ Marosi, 2

the Internal Revenue Service and ATF, along with local, state, U.S., and Mexican law enforcement, collaborated on a nationwide drug trafficking takedown named Project Deliverance. In the end, the strike force arrested 133 individuals on drug charges and seized 800 pounds of marijuana, 11 kilos of cocaine, and nearly \$140,000 in cash. Although the operation would not significantly affect any of the major drug trafficking organizations, the project provided intelligence to numerous other investigations around the country.¹⁶ It is examples such as these that illustrate successful results of combined personnel and cooperation enhancements, but the DHS had one more imperative in the Southwest Borders Initiative to bring to bear on the problem.

In concert with its personnel and cross border multi-echelon cooperation efforts, DHS made one final step to increase the efficiency of the initiative by investing in technology. The efforts used five technological advances in the region: a system to biometrically identify criminal aliens; Z-Backscatter X-ray vans; cross-trained canine teams; additional automated license plate readers; and 8 additional Law Enforcement Tactical Centers. DHS deployed the biometric equipment, worth nearly \$100 million, to locations at the highest risk for violence and recidivism by criminal aliens. This included detention facilities where in the past DHS failed to identify criminal aliens and neglectfully released them into U.S. communities. With the Z-backscatter vans, DHS, in addition to increasing Mexico to U.S. screening at POEs, implemented 100 percent southbound rail traffic screening to detect anomalies in rail cars. In 2009, this yielded more than \$39.2 million in southbound

¹⁶ Federal Bureau of Investigations. "FBI — Major Players on Southwest Border."

illegal currency alone – an increase of more than \$29.4 million compared to 2008. With the third advancement, DHS continued to strengthen the force by employing twelve (12) cross-trained canine teams capable of detecting both weapons and currency on both southbound and northbound traffic. In an effort to leverage previously collected intelligence on criminals and their vehicles, DHS also expended \$13 million to employ automated license plate readers (ALPRs) in 52 of 110 patrolled U.S. to Mexico lanes. This system gave DHS and Mexican authorities the capability to read license plates and compare them with a “hot list” of up to 3000 plates tied to criminals. Lastly, the department purchased eight (8) Law Enforcement Tactical Centers. These hubs of information sharing often connect to state and major urban fusion centers designed to receive, analyze, gather, and share threat-related information between the federal government and state, local, tribal, territorial and private sector partners.¹⁷ This advancement allowed DHS to apply the increased number of intelligence analysts previously mentioned to identify actionable threat intelligence then use it towards coordinated operations with both U.S. and Mexican authorities. Through its use of technology, DHS deliberately empowered its redistributed forces to ensure the entire force could more effectively enhance border security. It is not the effectiveness of any one of the Southwest Border Initiative imperatives but the synergy achieved by using them nearly simultaneously enabled the success of the initiative.¹⁸

There is one last issue we must consider as the administration moves to consider actions to address the U.S. and Mexican populaces concerns in the border

¹⁷ Department of Homeland Security. "DHS | State and Major Urban Area Fusion Centers."

¹⁸ Martinez-Cabrera, Alejandro

region. The world, in general, and the United States are in a severe economic crisis. Among other economic reforms this will undoubtedly affect our national security funding. As a result, the U.S. administration will look for cost effectiveness when determining near-term options. Of course, this will be even more important as the U.S. populace focuses its attention on the administration during the last 12 months prior to presidential elections. Though it is hard to determine the exact Mexican-related costs of the Merida Initiative due to the involvement of other countries, one can assert it was more expensive than the slightly more than \$180 million spent on the Southwest Borders Initiative.¹⁹

RECOMMENDATIONS

So how does the U.S. administration exploit the current success of the Southwest Border Initiatives in the future? First, once DOS disburses the remaining funds against the Merida initiative, the administration must discontinue the ineffective and laborious practices directly associated with the program. In addition, the administration needs to highlight the cancellation of the initiative through press releases and conferences. Next, DHS needs to assess its success over the last 2 years with the Southwest Border Initiative and improve upon it. This must include reviewing where it can redistribute or hire personnel, bolstering law enforcement cooperation through training and continuous coordination, and continuing its practice of identifying technology to empower our forces as we begin to design and implement the next phase of Southwest Border Initiative.

In addition, from a strategic perspective, the U.S. needs the Department of State (DOS) Mexico country team to address this challenge in a more

¹⁹ Office of the Press Secretary, DHS

comprehensive manner and use a whole of government approach by harnessing the elements of national power towards our relations with Mexico. The DOS planning must account for and empower the efforts of agencies like DHS, NORTHCOM, and SOUTHCOM within the military element, ideally placing DHS in the lead for all border activities. Then, DOS must direct substantial diplomatic, informational, and economic programs, many of which already exist, in an effort to enhance border security.

Lastly, the U.S. Government must engage in a candid discussion on when, if ever, the Department of Defense becomes the lead agency in respect to the problem of border security. What events in the border region or Mexico will clearly illustrate that the lack of security exists beyond U.S. currently employed capabilities? The DOD, along with the other contributing agencies, must know what threshold will make this a clear and present danger to our national security.

CONCLUSION

By comparing the effective holistic DHS approach of the Southwest Borders Initiative with the negative perceptions of the fiscal and information operations problems found in the Merida Initiative, the Southwest Borders Initiative emerges as the best course of action for the current administration to increase border security. The success of the Southwest Border Initiative illustrates the effectiveness of a simple program focused on building, coordinating and empowering a team focused on a common goal. With recent border success, it is time to benefit from the recent border success and move towards a focused strategy for Mexico. As this

analysis noted above, this must include a whole of government approach, with the Department of State in the lead. Organizations fail because they do not articulate a strategy that purports a purpose which ties their actions to an overall strategic purpose. The State Department's mission is to "advance freedom for the benefit of the American people and the international community by helping to build and sustain a more democratic, secure, and prosperous world composed of well-governed states that respond to the needs of their people, reduce widespread poverty, and act responsibly within the international system." If the United States wants to succeed, then it must create a strategic purpose for using its national powers to defeat transnational criminal organizations and help to improve the existing conditions in Mexico and within the border region.²⁰

²⁰ Lairsey, Small Wars Journal, 7

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